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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

FILED

UNITED STATES OF AMERICA,

Plaintiff,

v.

Jorge Alberto SAUCEDO-Ochoa,

Defendant

Magistrate Docket No. 08 MJ 1047

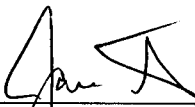
COMPLAINT FOR VIOLATION OF:

Title 8, U.S.C., Section 1326  
Deported Alien Found in the  
United States

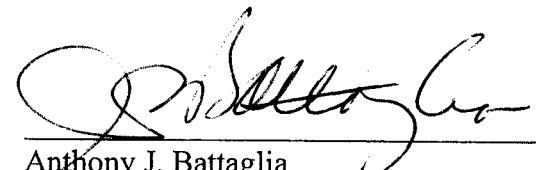
The undersigned complainant, being duly sworn, states:

On or about **April 03, 2008** within the Southern District of California, defendant, **Jorge Alberto SAUCEDO-Ochoa**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

  
SIGNATURE OF COMPLAINANT  
James Trombley  
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 4<sup>th</sup> DAY OF APRIL 2008

  
Anthony J. Battaglia  
UNITED STATES MAGISTRATE JUDGE

**CONTINUATION OF COMPLAINT:**  
**Jorge Alberto SAUCEDO-Ochoa**

**PROBABLE CAUSE STATEMENT**

On April 3, 2008, Border Patrol Agent H. Ballow was working an area north of Highway 94 known as "The Green House." This area is located approximately five miles east of the Tecate, California Port of Entry and approximately five miles north of United States/ Mexico International border.

At approximately 2:00 A.M., Agent Ballow was alerted by Border Patrol Dispatch of a sensor activation. Upon arriving in the area, Agent Ballow found footprints and followed them. He then found nineteen individuals north of Highway 94. Agent Ballow identified himself as a Border Patrol Agent and questioned each of the individuals as to their citizenship. Each of the individuals including one later identified as the defendant, **SAUCEDO-Ochoa, Jorge** admitted to being citizens and nationals of Mexico without any immigration documents allowing them to enter or remain in the United States legally. The group was arrested and transported to the Tecate Processing Center for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to Mexico on **March 13, 2008** through **Otay Mesa, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was read his Miranda rights, which he acknowledged and was willing to make a statement without an attorney present. The defendant stated that he was a citizen and national of Mexico without valid immigration documents to enter or remain within the United States legally. He also stated he was going to Ontario, California to look for work.